

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

EMILY SHANK,

:

Plaintiff,

:

Case No. 3:14cv00089

:

vs.

District Judge Walter Herbert Rice

:

Chief Magistrate Judge Sharon L. Ovington

CAROLYN W. COLVIN,
Acting Commissioner of the Social
Security Administration,

:

Defendant.

:

:

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #16), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on July 7, 2015 (Doc. #16) is ADOPTED in full;
2. Plaintiff's Motion For An Award Of Attorney Fees Under The Equal Access to Justice Act (Doc. #15) is GRANTED;

3. The Commissioner shall pay Plaintiff's attorney fees pursuant to 28 U.S.C. §2412(d) in the amount of \$5,314.67;
4. The parties' counsel shall verify, **within thirty days**, whether or not Plaintiff owes a pre-existing debt to the United States that is subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's attorney; and
5. The case remain terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge